

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JENNIFER MEADOWS,

Plaintiff,

v.

VASSIEL BEASON,

Defendant.

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) No. 2:19-cv-02409-TLP-tmp
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ORDER ADOPTING THE REPORT AND RECOMMENDATION

Plaintiff sued Defendant for forcible entry and detainer in the Shelby County Court of General Sessions. (ECF No. 1-1.) Defendant removed the case to federal court. (ECF No. 1.) Plaintiff moved for remand. (ECF No. 7.) The Magistrate Judge issued a Report and Recommendation (R&R) (ECF No. 9) recommending that this Court remand the case to the Shelby County Court of General Sessions under 28 U.S.C. § 1447(c).

The Magistrate Judge found that the parties lacked diversity jurisdiction because “[i]t appears that [Defendant] is a citizen of Tennessee” and Plaintiff’s citizenship “is not addressed in the Notice of Removal.” (ECF No. 9 at PageID 38.) What is more, the parties have also not alleged that the amount-in-controversy exceeds \$75,000.00. *See* 28 U.S.C. § 1332(a). Besides, the Magistrate Judge concluded that Plaintiff did not present any federal question on the face of its complaint. (*Id.* at PageID 38–39.)

Under Federal Rule of Civil Procedure 72(b)(2), “[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2).

Neither party objected to the R&R, and the time for filing objections has expired. *See* Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2).

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee notes. Having reviewed the R&R, the Court finds no clear error and ADOPTS the Report and Recommendation in its entirety.

The Court thus GRANTS Plaintiff’s motion to remand because the Court lacks jurisdiction over this matter. The Court ORDERS that this matter be remanded back to the Shelby County Court of General Sessions.

SO ORDERED, this 13th day of September, 2019.

s/Thomas L. Parker
THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE